

**A CERTIFIED TRUE COPY**

JUL 16 2007

ATTEST *Thomas L. Hillman*  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUN 28 2007

FILED  
CLERK'S OFFICE

**DOCKET NO. 1850**

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***  
***IN RE PET FOOD PRODUCTS LIABILITY LITIGATION***  
***(SEE ATTACHED SCHEDULE)***

***CONDITIONAL TRANSFER ORDER (CTO-1)***

On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See F.Supp.2d* (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 74 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Jeffery N. Lüthi*  
Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

JUL 16 2007

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION



07-CV-00575-RCPT

**SCHEDULE CTO-1 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1850**  
**IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

**DIST. DIV. C.A. #****CASE CAPTION**

ARKANSAS EASTERN  
ARE 4 07-376

Scott Stacey, et al. v. Nestle SA, et al.

ARKANSAS WESTERN  
ARW 4 07-4036  
ARW 5 07-5065

Kirby Cooper v. Menu Foods Income Fund, et al.  
Sandra L. Gray, et al. v. Menu Foods, et al.

CALIFORNIA CENTRAL  
CAC 2 07-1987  
CAC 2 07-2060  
CAC 2 07-2253  
CAC 2 07-2338  
CAC 2 07-2476  
CAC 2 07-2779  
CAC 2 07-2964  
CAC 5 07-398

Paul Randolph Johnson, et al. v. Menu Foods, Inc., et al.  
Dawn Howe v. Menu Foods Ltd., et al.  
Lois Grady, et al. v. Menu Foods Income Fund, et al.  
Kelly Finestone v. Menu Foods, Inc., et al.  
Richard Chamberlain v. Nestle SA, et al.  
Ken Wahl, et al. v. Menu Foods Income Fund, et al.  
Jayne Englander, et al. v. Menu Foods Income Fund, et al.  
Dennis Lee Townsend, et al. v. Menu Foods Ltd., et al.

CALIFORNIA EASTERN  
CAE 2 07-654

Cheryl Carver v. Del Monte Foods Co., et al.

CALIFORNIA NORTHERN  
CAN 3 07-1809  
CAN 3 07-2665

Sherry Ingles v. Menu Foods, Inc., et al.  
Diane Lowery v. Menu Foods Income Fund, et al.

CALIFORNIA SOUTHERN  
CAS 3 07-705  
CAS 3 07-706  
CAS 3 07-734  
CAS 3 07-951

Robert Payne, et al. v. Menu Foods, Inc., et al.  
Diane Swarberg v. Menu Foods Holding, Inc., et al.  
Hayley Ford, et al. v. Menu Foods Income Fund, et al.  
John Colliard v. Menu Foods, Inc., et al.

COLORADO  
CO 1 07-736

Emily Tompkins v. Menu Foods Midwest Corp., et al.

FLORIDA MIDDLE  
FLM 2 07-235  
FLM 6 07-803

Maria Teresa Ferrarese v. Menu Foods, Inc., et al.  
George Birney, et al. v. Menu Foods, Inc.

FLORIDA SOUTHERN  
FLS 1 07-20955

Stephen Donnelly, et al. v. Menu Foods, Inc., et al.

IDAHO  
ID 1 07-160

Larry Klimes, et al. v. Menu Foods

ILLINOIS NORTHERN  
ILN 1 07-2162  
ILN 1 07-2183  
ILN 1 07-2211  
ILN 1 07-2237

Heather Amro v. Menu Foods Income Fund, et al.  
Gary Bruski v. Menu Foods, Inc., et al.  
Raymond Demith, et al. v. Nestle Purina Petcare Co., et al.  
Sonja Foxe v. Menu Foods, Inc., et al.

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
MASSACHUSETTS		
MA 1 07-10745	Lidia Rodrigues v. Menu Foods, Inc., et al.	
MA 1 07-10797	Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.	
MAINE		
ME 2 07-54	Mara Brazilian v. Menu Foods Income Fund, et al.	
MINNESOTA		
MN 0 07-1808	Stephanie Rozman v. Menu Foods Midwest Corp., et al.	
MN 0 07-2108	Wendy Krosschell v. Menu Foods Income Fund, et al.	
MISSOURI WESTERN		
MOW 3 07-5041	Richard Schwinger v. Menu Foods, et al.	
MISSISSIPPI SOUTHERN		
MSS 5 07-105	Sarah Cavin v. Menu Foods, et al.	
NEVADA		
NV 2 07-686	<del>Maragaret Picus v. Wal-Mart Stores, Inc., et al.</del>	Opposed 7-16-07
NV 3 07-159	Marion Streczyn v. Menu Foods, Inc., et al.	
NEW YORK SOUTHERN		
NYS 1 07-3236	Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.	
OHIO NORTHERN		
OHN 1 07-1018	Gregory Boehm v. Menu Foods, Inc., et al.	
PENNSYLVANIA MIDDLE		
PAM 1 07-929	Dixie Keller v. Menu Foods Ltd., et al.	
RHODE ISLAND		
RI 1 07-115	Carol Brown v. Menu Foods, Inc., et al.	
TENNESSEE EASTERN		
TNE 3 07-98	Barbara Light v. Menu Foods Income Fund	
WASHINGTON WESTERN		
WAW 2 07-575 RSL	Laura Migliore v. Menu Foods	
WAW 2 07-576 JCC	Gail Moran v. Menu Foods	
WAW 2 07-577 RSL	Sheryl Puett v. Menu Foods	
WAW 2 07-634 JCC	Daniel Ray Reeves v. Menu Foods	
WAW 2 07-666 RSL	Sheree A. Robinson v. Menu Foods	
WAW 2 07-667 MJP	Phyllis A. Ullman v. Menu Foods	
WAW 2 07-668 JLR	Elizabeth Palmer v. Menu Foods	
WAW 2 07-669 JLR	Jason Labbate v. Menu Foods	
WAW 2 07-670 RSM	Megan Whitt v. Menu Foods	
WAW 2 07-684 RSM	Linda Weitz v. Menu Foods	
WAW 2 07-685 RSM	Michelle Adams v. Menu Foods	

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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DIST. DIV. C.A. #CASE CAPTION

WAW 2 07-686	Lerae Dineen v. Menu Foods
WAW 2 07-687	Sandra Shingle v. Menu Foods
WAW 2 07-688	Gary Thomas v. Menu Foods
WAW 2 07-689	Deborah A. Mullen v. Menu Foods
WAW 2 07-690	Helen Percy v. Menu Foods
WAW 2 07-745	Paula Monk v. Menu Foods
WAW 2 07-746	Tony Boyer v. Menu Foods
WAW 2 07-747	Norman Brenton v. Menu Foods
WAW 2 07-748	Lynda Nagel v. Menu Foods
WAW 2 07-749	Teresa Eilers v. Menu Foods
WAW 3 07-5204	Jeff Rusiecki v. Menu Foods
WAW 3 07-5205	Nancy Guthrie v. Menu Foods

## WISCONSIN WESTERN

WIW 3 07-159	Jacqueline Johnson v. The Procter & Gamble Co., et al.
WIW 3 07-248	Penny J. Roberts, et al. v. Menu Foods Income Fund, et al.

FILED  
LOBBED  
RECEIVED

MAIL

JUL 23 2007

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

UNITED STATES DISTRICT COURT  
MARTIN LUTHER KING, JR.  
FEDERAL BLD & U.S. COURTHOUSE  
50 WALNUT STREET  
P.O. BOX 419  
NEWARK, N.J. 07101-0419

CAMDEN OFFICE  
4<sup>th</sup> & Cooper Streets  
P.O. Box 2797  
Camden, N.J. 08101

TRENTON OFFICE  
402 East State Street  
P.O. Box 515  
Trenton, N.J. 08603

William T. Walsh  
Clerk

July 20, 2007

REPLY TO: CAMDEN

Christopher R. Johnson, Clerk  
523 John Paul Hammerschmidt  
Federal Building  
35 East Mountain Street  
Payetteville, AR 72701-6420

Re: MDL1850 In Re: Pet Food Products Liability Litigation

District of New Jersey Civil Action No. 1:07cv2867(NLH)(AMD)

Dear Clerk:

Enclosed is a certified copy of the Order of the Judicial Panel on Multidistrict Litigation, transferring certain action(s) presently pending in your Court to the District of New Jersey and assigning it to the Honorable Noel L. Hillman, USDJ for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407. Please see the attached list for the cases that pertain to your Court.

If your court is currently on CM/ECF Version 3.0 you can transfer the case to us via Case Extraction in Utilities. If you have any questions, please call me at 856-757-5021.

Please return the copy of this letter when transmitting your file(s) and certified copy of the docket sheet(s).

Sincerely,

WILLIAM T. WALSH, Clerk

s/Marcy Barratt  
Deputy Clerk

Enc.

cc: Jeffrey N. Luthi  
Clerk, Judicial Panel on Multidistrict Litigation